

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HEIGHTS IN PARIS LLC,

Plaintiff,

-against-

BELCALIS ALMANZAR; GOOGLE LLC;
HENNESSY ALMANZAR,

Defendants.

22-CV-3224 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff Heights in Paris LLC brings this action *pro se*.¹ Because Heights in Paris cannot proceed *pro se*, the Court dismisses the action without prejudice to Heights in Paris retaining counsel within 30 days of the date of this order.

DISCUSSION

Corporations, nonprofit organizations, and other artificial entities cannot proceed *pro se*. *Rowland v. California Men's Colony, Unit II Men's Advisory Council*, 506 U.S. 194, 202 (1993) (noting that “lower courts have uniformly held that 28 U.S.C. § 1654, providing that “parties may plead and conduct their own cases personally or by counsel,” does not allow corporations, partnerships, or associations to appear in federal court otherwise than through a licensed attorney”) (citations omitted); *see also Jones v. Niagara Frontier Transp. Auth.*, 722 F.2d 20, 22 (2d Cir. 1983) (noting that “it is established that a corporation, which is an artificial entity that can only act through agents, cannot proceed *pro se*”). Thus, the claims brought on behalf of Heights in Paris are dismissed without prejudice to Heights in Paris retaining counsel.

¹ Eric T. Baker, who is not listed in the action as a plaintiff, signed the complaint. Baker did not submit an application to proceed *in forma pauperis* (IFP) or pay the filing fees.

CONCLUSION

The Court dismisses the action without prejudice to Heights in Paris retaining counsel within 30 days of the date of this order.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: May 3, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge